

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

YVONNE BLOUNT,

Plaintiff(s),

CASE NUMBER: 07-13101

HONORABLE VICTORIA A. ROBERTS

v.

GORDON H. MANSFIELD, SECRETARY,
DEPARTMENT OF VETERANS AFFAIRS,

Defendant(s).

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ORDER ADOPTING REPORT AND RECOMMENDATION

On May 5, 2006, Plaintiff was removed from her employment at the Department of Veterans Affairs ("DVA"). Plaintiff sought review of her firing by the Merit Systems Protection Board ("MSPB"), which denied her claims of procedural error and unlawful discrimination and/or retaliation under Title VII of the Civil Rights Act of 1964 ("Title VII"), 42 U.S.C. § 2000e *et seq.* On July 24, 2007, acting *pro se*, Plaintiff sued the DVA for violating Title VII, and sought judicial review of the MSPB's decision (Doc. #1). The case was referred for pretrial matters to Magistrate Judge Steven D. Pepe (Doc. #7).

On March 17, 2008, Plaintiff submitted a motion for summary judgment on both her MSPB and Title VII claims (Doc. #16). Defendant filed a cross motion for summary judgment on the MSPB decision on April 18 (Doc. #19), and a motion for summary judgment on Plaintiff's Title VII claims on May 30 (Doc. #23). Plaintiff responded to Defendant's motion on Title VII claims on June 12, accusing Defendant of ignoring a scheduling order, coming unprepared to a settlement conference, and being altogether in default; Plaintiff did not address the substance of Defendant's motion (Doc. #24).

On September 25, 2008, the Magistrate Judge submitted his Report and Recommendation (Doc. #28), advising the Court to DENY Plaintiff's Motion for Summary Judgment and GRANT Defendant's Motions for Summary Judgment. Neither Plaintiff nor Defendant filed objections to this Report.

A district court "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1)(C). Because the Court has not received objections from either party within the time frame provided for by § 636(b)(1) and E.D. Mich. LR 72.1(d)(3), the Court will adopt the Magistrate Judge's Report and Recommendation. Plaintiff's Motion is **DENIED**; Defendant's Motions are **GRANTED**.

IT IS ORDERED.

S/Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: November 4, 2008

The undersigned certifies that a copy of this document was served on the attorneys of record and Yvonne Blount by electronic means or U.S. Mail on November 4, 2008.

s/Carol A. Pinegar
Deputy Clerk